

KELLER BENVENUTTI KIM LLP
Tobias S. Keller (#151445)
(tkeller@kbkllp.com)
Peter J. Benvenutti (#60566)
(pbenvenutti@kbkllp.com)
Jane Kim (#298192)
(jkim@kbkllp.com)
650 California Street, Suite 1900
San Francisco, CA 94108
Tel: 415 496 6723
Fax: 650 636 9251

Attorneys for Debtors and Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- Affects PG&E Corporation
- Affects Pacific Gas and Electric Company
- Affects both Debtors

** All papers shall be filed in the Lead Case, No. 19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF RENEE RECORDS IN
SUPPORT OF REORGANIZED DEBTORS'
ONE HUNDREDTH OMNIBUS OBJECTION
TO CLAIMS (THIRD-PARTY CLAIMS)**

Response Deadline:
September 15, 2020, 4:00 p.m. (PT)

Hearing Information If Timely Response Made:

Date: September 29, 2020

Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Appearances Only)

United States Bankruptcy Court

Courtroom 17, 16th Floor

San Francisco, CA 94102

1 I, Renee Records, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am the Claims Manager at Pacific Gas and Electric Company (the “**Utility**” or “**PG&E**,”
5 and, with PG&E Corporation, the “**Debtors**,” or, as reorganized pursuant to the Plan, the “**Reorganized**
6 **Debtors**”) in the above-captioned chapter 11 cases (the “**Chapter 11 Cases**”). I submit this Declaration
7 in support of the Reorganized Debtors’ One Hundredth Omnibus Objections to Claims (Third-Party
8 Claims) (the “**Omnibus Objection**”),¹ filed contemporaneously herewith.

9 2. As part of my job duties, I manage, administer, and monitor third-party claims,
10 investigations, and incidents for final determination of property damage, bodily injury, and business
11 interruption. I oversee department caseload to ensure integrity and regulatory compliance. I develop
12 and present key analysis and reporting to enterprise officers, operations managers, and clients regarding
13 third-party incidents.

14 3. Except as otherwise indicated herein, all facts set forth in this Declaration are based upon
15 my personal knowledge, the knowledge of other PG&E personnel working under and alongside me on
16 this matter, my discussions with the Reorganized Debtors’ various other advisors and counsel, and my
17 review of relevant documents and information. If called upon to testify, I would testify competently to
18 the facts set forth in this Declaration. I am authorized to submit this declaration on behalf of the
19 Reorganized Debtors.

20 4. The Third-Party Claims are identified in the columns headed (i) “Claim/Schedule To Be
21 Reduced or Disallowed” on **Exhibit 1** annexed to the Omnibus Objection, (ii) “Claims To Be Disallowed
22 and Expunged” on **Exhibit 2** annexed to the Omnibus Objection, and (iii) “Claims To Be Expunged” on
23 **Exhibit 3** annexed to the Omnibus Objection. **Exhibit 1**, **Exhibit 2**, and **Exhibit 3** were prepared by
24 the AlixPartners, LLP (“**AlixPartners**”) team charged with the Bankruptcy Case Management
25 component of AlixPartners’ assignment to assist the Reorganized Debtors from information provided by
26 me, and I have reviewed them to confirm their accuracy. I am familiar with them, their contents, and

27 ¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in
28 the Omnibus Objections.

1 the process under which they were prepared.

2 5. The Books and Records Claims identified on **Exhibit 1** are Proofs of Claim that seek an
3 amount that contradicts the Reorganized Debtors' books and records. The Reorganized Debtors have
4 determined, based on a review of their books and records, the Proofs of Claim, and any additional
5 information provided by the holder of the Books and Records Claims, that the Books and Records Claims
6 assert liabilities for which the Reorganized Debtors are not liable. In some instances, the holder of the
7 Books and Records Claim has agreed with the Reorganized Debtors that it does not hold a valid Claim
8 against the Reorganized Debtors, but failed to follow the procedures to withdraw their Proof of Claim
9 when instructed to do so.

10 6. The Reorganized Debtors request that the Books and Records Claims be disallowed and
11 expunged in their entirety.

12 7. The Reduced and Allowed Claim identified on **Exhibit 1** is Proof of Claim No. 7289 filed
13 by Philip T. Gonsalves, which was asserted in an unliquidated amount for "personal injury hearing aids."
14 Although the Debtors believe that they are not liable for this Claim, they engaged the Claimant in
15 settlement efforts pursuant to the *Order Approving ADR and Related Procedures for Resolving General*
16 *Claims*, dated September 25, 2020 [Docket No. 9148] (the "**ADR Procedures Order**"). On May 3,
17 2021, the Reorganized Debtors received a signed response to a Settlement Offer (as defined in the ADR
18 Procedures Order) from Mr. Gonsalves, accepting the Reorganized Debtors' offer to settle his claim for
19 \$100. Since that time, the Reorganized Debtors have attempted to contact Mr. Gonsalves to finalize the
20 settlement with a fully-executed settlement agreement, but there has been no other communication from
21 Mr. Gonsalves, and Mr. Gonsalves has not returned the signed settlement agreement necessary to
22 formally resolve his Claim. The amount listed in **Exhibit 1** reflects the amount that the Reorganized
23 Debtors agreed to pay, based upon Mr. Gonsalves's acceptance of the settlement offer.

24 8. The Reorganized Debtors request that the Reduced and Allowed Claim be allowed in the
25 amount listed in the "Reduced Amount" row, and disallowed to the extent in excess of that amount.

26 9. The Damage Not Caused by PG&E Claims identified on **Exhibit 2** are Proofs of Claim
27 where the Reorganized Debtors, after reviewing their books and records and any information submitted
28 in connection with the Proofs of Claim, have determined that the harm or damage described in the Proof

1 of Claim was not caused by the Debtors. Accordingly, the Reorganized Debtors have determined they
2 are not liable for these amounts and the corresponding Proofs of Claim should be disallowed and
3 expunged in their entirety.

4 10. The Post-Petition Claim identified on **Exhibit 3** asserts a Claim for amounts that arose
5 after the Petition Date and, thus, does not represent a prepetition liability of the Debtors subject to
6 payment through the chapter 11 claims process. Pursuant to Section 2.1 of the Plan, any Allowed
7 Administrative Expense Claim that is not due and payable prior to the Effective Date, shall be paid by
8 the Debtors or the Reorganized Debtors, as applicable, in the ordinary course of business, consistent with
9 past practice and in accordance with the terms and subject to the conditions of any orders or agreements
10 governing, instruments evidencing, or other documents establishing, such liabilities. Accordingly, there
11 is nothing for this Court to resolve with respect to any such Claims and any Proofs of Claim filed on
12 account of such Claims should be expunged and the asserted claim may be resolved in the ordinary
13 course of business.

14 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
15 correct to the best of my knowledge, information, and belief. Executed this nineteenth day of August,
16 2021, in San Ramon, California.

17 */s/ Renee Records*
Renee Records